

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SAYVION D. BLOUNT,

Plaintiff,

v.

5:22-CV-0582
(GTS/TWD)

K. WILLIAMS, Sgt., Onondaga Cty. Sheriff's Deputy;
CAMPANEO, Onondaga Cty. Sheriff's Deputy;
SULLIVAN, Onondaga Cty. Sheriff's Deputy;
DAUGHTON, Onondaga Cty. Sheriff's Deputy;
APPLES, Onondaga Cty. Sheriff's Deputy;
PASSINO, Onondaga Cty. Sheriff's Deputy;
McDONALD, Onondaga Cty. Sheriff's Deputy;
ARSENAULT, Onondaga Cty. Sheriff's Deputy;
DOBEV, Onondaga Cty. Sheriff's Deputy;¹ and
PETERSON, Sgt., Onondaga Cty. Sheriff's Deputy,

Defendants.

APPEARANCES:

SAYVION D. BLOUNT

Plaintiff, *Pro Se*

Rescue Mission-Kiesewetter

122 Dickerson Street

Syracuse, New York 13202

GLENN T. SUDDABY, Chief United States District Judge

DECISION and ORDER

Currently before the Court, in this *pro se* civil rights action filed by Sayvion D. Blount ("Plaintiff") against the ten above-captioned employees of the Onondaga County Sheriff's Office

¹ The Court notes that, although the docket sheet currently lists the last name of this Defendant as "Dobev," Plaintiff's Complaint appears to list it as "Dober" (Dkt. No. 1, at 3, 15), and both the Report-Recommendation and the decision attached to it list it as "Dober" (Dkt. No. 8, at 3, 6-7, 10-12 and Attachment). As a result, the Clerk of Court is directed to amend the docket sheet accordingly.

(“Defendants”), is United States Magistrate Judge Thérèse Wiley Dancks’ Report-Recommendation recommending as follows: that Plaintiff’s First Amendment retaliation claims be permitted to proceed for now against Defendants Daughton, Williams, and Arsenault; that Plaintiff’s grievance-procedure claim asserted against Defendant Dober be dismissed for failure to state a claim; and that Plaintiff’s remaining claims against all the other Defendants also be dismissed for failure to state a claim. (Dkt. No. 8.) Plaintiff has not filed an Objection to the Report-Recommendation, and the deadline by which to do so has expired. (*See generally* Docket Sheet.)

After carefully reviewing the relevant papers herein, including Magistrate Judge Dancks’ thorough Report-Recommendation, the Court can find no clear error in the Report-Recommendation.² Magistrate Judge Dancks employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. As a result, the Report-Recommendation is accepted and adopted in its entirety for the reasons set forth therein.

ACCORDINGLY, it is

ORDERED that the Clerk of Court is directed to **AMEND** the docket sheet in accordance with note 1 of this Decision and Order (to change the name of Defendant “Dobev” to Defendant “Dober”); and it is further

² When no objection is made to a report-recommendation, the Court subjects that report-recommendation to only a clear-error review. Fed. R. Civ. P. 72(b), Advisory Committee Notes: 1983 Addition. When performing such a clear-error review, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Id.*; see also *Batista v. Walker*, 94-CV-2826, 1995 WL 453299, at *1 (S.D.N.Y. July 31, 1995) (Sotomayor, J.) (“I am permitted to adopt those sections of [a magistrate judge’s] report to which no specific objection is made, so long as those sections are not facially erroneous.”) (internal quotation marks omitted).

ORDERED that Magistrate Judge Dancks' Report-Recommendation (Dkt. No. 8) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

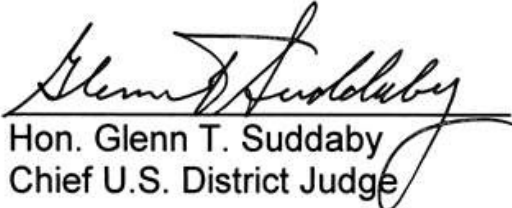
ORDERED that Plaintiff's grievance-procedure claim asserted against Defendant Dober is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B) and § 1915A(b) and it is further

ORDERED that Defendants Campaneo, Sullivan, Apples, Passino, McDonald, and Peterson are **DISMISSED**; and it is further

ORDERED that Plaintiff's First Amendment remaining claims (i.e., his retaliation claims against Defendants Daughton, Williams, and Arsenault) **SURVIVE** the Court's *sua sponte* review; and it is further

ORDERED that the Clerk of Court is directed to issue a Summons, along with a copy of the Complaint, to the U.S. Marshal for service upon Defendants Daughton, Williams, and Arsenault; and those Defendants are directed to respond in accordance with the Federal Rules of Civil Procedure.

Dated: August 4, 2022
Syracuse, New York


Hon. Glenn T. Suddaby
Chief U.S. District Judge